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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Catherine Anne Abbott et al.)
Application No. 10/070,464) NOW U.S. Patent No. 6,881,564 B1
Filed: July 18, 2002) Granted: April 19, 2005
For: DIPEPTIDYL PEPTIDASES) Attorney Docket No. FCSB-100

REQUEST FOR CERTIFICATE OF CORRECTION

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

United States Letters Patent No. 6,881,564 B1 was granted to Catherine Anne Abbott and Mark Douglas Gorrell on April 19, 2005, on the basis of the above application, and is assigned to The University of Sydney. A number of printing errors were made by the Patent and Trademark Office during printing as summarized on the enclosed Patent Office Form PTO/SB/44 (3 pp.).

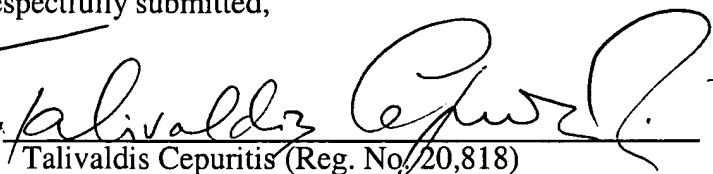
With regard to the errors noted in Claims 1, 2, 3, 4 and 6, please refer to the Examiner's Amendment and the subsequently filed Amendment Under Rule 312, copies of which are also enclosed herewith.

It is requested that a Certificate of Correction be issued embodying the enclosed corrections.

Respectfully submitted,

Date: October 19, 2005

By


Talivaldis Cepuritis (Reg. No. 20,818)

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Certificate
OCT 26 2005
of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 3

PATENT NO. : 6,881,564 B1
APPLICATION NO.: 10/070,464
ISSUE DATE : Apr. 19, 2005
INVENTOR(S) : Catherine Anne Abbott et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 1,

Line 25, "activityt[8,9]" should be -- activity [8,9] --.
Line 48, "[9,20]" should be -- [19,20] --.

Column 2,

Line 33, "AspGluAsnValllisPheAlaHis" should be -- AspGluAsnValHisPheAlaHis --.
Line 34, "ArgHisSerlleArg" should be -- ArgHisSerlleArg --.
Line 38, "nmultiple" should be -- multiple --.
Line 58, "ValleuGlnGluGluPhe (SEQ ID NO i6)" should be
-- ValLeuGlnGluGluPhe (SEQ ID NO: 16) --.

Column 3,

Line 5, before "sequence" insert -- of the --.

Column 8,

Line 59, "GenBankwmTM" should be -- GenbankTM --.

Column 11,

Line 27, "Talons[®]" should be -- Talon[®] --.
Line 55, "for is min" should be -- for 15 min --.

Column 17,

Line 45, "[621]" should be -- [62] --.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

OLSON & HIERL, LTD.
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Chicago, Illinois 60606

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 2 of 3

PATENT NO. : 6,881,564 B1
APPLICATION NO.: 10/070,464
ISSUE DATE : Apr. 19, 2005
INVENTOR(S) : Catherine Anne Abbott et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 18,
Line 15, "transcript(9)" should be -- transcript(s) --.

Column 19,
Line 13, "Hepavology" should be -- Hepatology --

Column 21,
Line 16, "Diol." should be -- Biol. --.

Column 22,
Line 30, "Martin, R. & S" should be -- Martin, R. & --.

Claim 1,
Line 4, after "has" insert -- dipeptidyl peptidase activity, with --.
Line 5, after "specificity" insert a comma (,).

Claim 2,
Line 2, after "has" insert -- dipeptidyl peptidase activity, with --.
Line 2, after "specificity" insert a comma (,).
Line 2, "SFQ" should be -- SEQ --.

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Page 3 of 3

PATENT NO. : 6,881,564 B1
APPLICATION NO.: 10/070,464
ISSUE DATE : Apr. 19, 2005
INVENTOR(S) : Catherine Anne Abbott et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 3,

Line 1, after "claim 2" insert a comma (,).

Line 1, "consisis" should be -- consists --.

Line 2, "SEQ ID NO.s: 3, 5 or 7" should be -- SEQ ID NOs: 3 or 5 --.

Claim 4,

Line 1, "asparaginc" should be -- asparagine --.

Claim 6,

Line 3, after "having" insert -- dipeptidyl peptidase activity, with --.

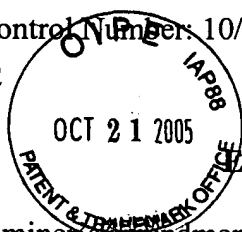
Line 4, after "specificity" insert a comma (,).

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

On page 1, insert the following as the first paragraph:

The application is a US 371 National Stage filing of PCT/AU00/01085 filed September 11, 2000 and claims the benefit of priority to Australian applications PQ 5709 filed February 18, 2000 and PQ 2762 filed September 10, 1999.

Cancel Claims 10-23 and 25-27.

Replace Claim 1 with:

1. An isolated peptide which comprises:
 - (a) the sequence shown in SEQ ID NO: 1; or
 - (b) a sequence which has at least 95% identity with the sequence shown in SEQ ID NO: 1, and which has dipeptidyl peptidase activity, with the same substrate specificity, as SEQ ID NO: 1.

Replace Claim 4 with:

4. A fragment of the sequence shown in SEQ ID NO: 1 which has dipeptidyl peptidase activity, with the same substrate specificity, as SEQ ID NO: 1.

Replace Claim 5 with:

5. A fragment, according to claim 4, which consists of the sequence shown in SEQ ID NOs: 3 or 5.

Art Unit: 1652

Replace Claim 8 with:

8. A fusion protein comprising the amino acid sequence shown in SEQ ID NO: 1 linked with a further amino acid sequence, the fusion protein having dipeptidyl peptidase activity, with the same substrate specificity, as SEQ ID NO: 1.

Authorization for this examiner's amendment was given in a telephone interview with Talivaldis Cepuritis on November 4, 2003.

Allowable Subject Matter

Claims 1, 4-9, and 24 are allowed.

The following is an examiner's statement of reasons for allowance:

All elected Claims, 1, 4-9, and 24, are limited to isolated polypeptides derived from SEQ ID NO: 1. The utility of the polypeptide of SEQ ID NO: 1, as being a serine protease that has dipeptidyl peptidase activity, is credible based on homology to known proteins (Qi et al, 2002) as well as expression in heterologous host cells and analysis by an enzymatic assay (pg 29, line 23-pg 30, line 24; Fig 7; Tables 1 and 2).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheridan L. Swope whose telephone number is 703-305-1696.

The examiner can normally be reached on M-F; 8:30-5 EST.

Art Unit: 1652

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura Achutamurthy can be reached on 703-308-3804. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Sheridan Lee Swope, Ph.D.

1610
RECEIVED
EXAMINER
REBECCA E. PROCTOR
R. Lee Swope



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Catherine Anne Abbott et al.)	COPY
Application No.	10/070,464)	
Filed:	July 18, 2002)	
For:	DIPEPTIDYL PEPTIDASES)	
Examiner:	Sheridan Swope)	
Art Unit:	1652)	
)	Notice of Allowance
)	Dated: 12/10/2003
)	
)	Attorney Docket No. <u>FCSB-100</u>

AMENDMENT UNDER RULE 312

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Kindly amend this application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): An isolated peptide which comprises: ~~comprises~~:

- (a) the sequence shown in SEQ ID NO:1; or
- (b) a sequence which has at least 95% identity with the sequence shown in SEQ ID NO:1, and which has dipeptidyl peptidase activity, with the same substrate specificity, as SEQ ID NO:1.

Claims 2-3 (canceled).

Claim 4 (previously presented): A fragment of the sequence shown in SEQ ID NO:1 which has dipeptidyl peptidase activity, with the same substrate specificity, as SEQ ID NO:1.

Claim 5 (previously presented): A fragment according to claim 4, which consists of the sequence shown in SEQ ID NOs: 3 or 5.

Claim 6 (original): A peptide according to claim 1, wherein an asparagine residue in the peptide is not linked to a carbohydrate molecule.

Claim 7 (original): A peptide according to claim 1, wherein the peptide is not expressed on the cell surface membrane of a cell.

Claim 8 (currently amended): A fusion protein comprising the amino acid sequence shown in SEQ ID NO:1 linked with a further ~~further~~ amino acid sequence, the fusion protein having dipeptidyl peptidase activity, with the same substrate specificity, as SEQ ID NO:1.

Claim 9 (original): A fusion protein according to claim 8 wherein the further amino acid sequence is selected from the group consisting of GST, V5 epitope and His tag.

Claims 10-23 (canceled).

Claim 24 (original): A composition comprising a peptide according to claim 1.

Claims 25-27 (canceled).

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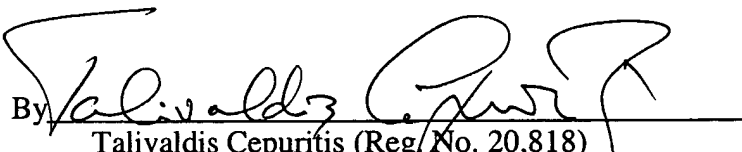
Remarks

Claims 1, 4-9 and 24 are allowed. Claims 1 and 8 are amended in order to correct minor typographical errors introduced into the claims by an Examiner's Amendment. The foregoing amendment does not affect the scope of the invention.

Entry of the amendment is respectfully requested.

Respectfully submitted,

March 10, 2004

By 
Talivaldis Cepuritis (Reg. No. 20,818)

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